

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

13 MAY 1992

ORIGINAL
FILE

IN REPLY REFER TO:

CN9201423

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EX PARTE OR LATE FILED

Honorable Alan C. Cranston
United States Senate
112 Hart Senate Office Building
Washington, DC 20510-0501

Dear Senator Cranston:

Thank you for your letter on behalf of several constituents regarding the Commission's proposals to allocate spectrum in the 2 gigahertz (GHz) range for emerging technologies. Your constituents express concern with the impact such an allocation would have upon the communications of the Metropolitan Water District of Southern California.

The Commission is sensitive to the concerns raised by incumbent users of the 2 GHz band. The primary issue before the Commission in this proceeding is finding ways to strike a balance in spectrum allocation policies that will accommodate new technologies while ensuring that existing users can maintain and enhance the quality of their present operations. The Commission proposed to permit state and local government licensees such as Metropolitan Water District of Southern California to continue their operations indefinitely on a primary basis. For the other licensees, the Commission's preferred option would be to allow incumbent users of the 2 GHz band to remain in the band indefinitely on a co-primary basis. Any relocation would be on a voluntary basis for which compensation for the move would be negotiated and paid by the new user. Further, new service providers would be required to protect all existing operations. Therefore, this proposal would not require any incumbent user to move from its existing frequencies; would enable an incumbent's move to other frequencies to be fully compensated by the new users, should the incumbent choose to move; and would enable the incumbent to ensure that its move to other frequencies would be accomplished without cost or disruption to its communications.

The Commission is taking several actions to ensure that the concerns of the existing users are fully addressed. In March, Chairman Sikes directed the Chief of Staff to assemble a team of senior Commission staff and convene meetings with incumbent users of the 2 GHz band to further explain the Commission's proposals and explore ways to resolve the issues raised by these users. Three of these meetings already have been held, including one with proponents of emerging technologies. All three meetings were attended by interested Congressional staff.

Additionally, in order to permit the fullest possible public comment on the issues raised by the emerging technologies proposal, including any financial or operational impact upon electric utilities and the petroleum industry, the Commission

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Federal Communications Commission
Office of the Secretary

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extended the comment cycle in the proceeding by 45 days. June 5 is the initial comment deadline, and July 6 is the deadline for reply comments. We look forward to the comments filed in the proceeding, and will welcome particularly any additional proposals that might accommodate the competing demands for this important spectrum. Specifically, further notices of proposed rule making will be issued if necessary to address significant technical or operational issues raised in this docket or by authorized PCS experiments.

The Commission is working aggressively in five ways to improve access to alternative spectrum for incumbent users. First, our staff is continuing its work on the 4 and 6 GHz bands and we would consider taking additional action as necessary to facilitate incumbent users' migration to those bands. Second, we are working with the Commerce Department to gain access for private use of spectrum in the 1710-1850 MHz band that currently is reserved exclusively for Government use. We welcome the opportunity to work with Congress on this issue through oversight or spectrum legislation. Third, the Commission has proposed to facilitate incumbent users' relocation to new spectrum by waiving application rules so that these users could have immediate, preferred access. Technical rules would be developed as necessary to facilitate this relocation. Fourth, the Commission has proposed to permit existing users of the 2 GHz band to voluntarily relocate to other bands after negotiations with new users. The terms of any voluntary relocation would likely include, at a minimum, payment by the new users of the costs of that relocation. Finally, the Commission recently requested comment on a petition from the Utilities Telecommunications Council proposing amendments to the Commission's rules to provide for use of additional frequencies by private microwave systems.

One of the Commission's most important goals in this proceeding is accommodating the legitimate needs of the current users of the 2 GHz spectrum while providing for new technologies. We will continue to work closely with existing users of the 2 GHz spectrum, and all parties in this proceeding, to achieve those goals.

Sincerely,

A handwritten signature in black ink, reading "Thomas P. Stanley". The signature is written in a cursive, flowing style with a large, prominent "S" at the end.

Thomas P. Stanley
Chief Engineer

Congressional

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
05/05/92

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
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TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Alan Cranston	BC

CONSTITUENT'S NAME	SUBJECT
several constituents	re: New Personal Communications Services

REF TO	REF TO	REF TO	REF TO
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DATE	DATE	DATE	DATE
05/05/92	5/5/92		

REMARKS: reply atn: Susan Daly of the DC office

Due to F.O. 5/13/92 NOON

Logged in saj 5/5/92

ALAN CRANSTON
CALIFORNIA

United States Senate

WASHINGTON, DC 20510

OE T
90-314
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April 23, 1992

To: Legislative Affairs
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Inquiry from: Several constituents

Re: Please address the concerns raised by several
constituents regarding a proposal to eliminate a
communications microwave frequency from the
Metropolitan Water District of Southern California.

I forward the attached for your review and consideration.

Your report, in duplicate, along with the return of the
enclosure, will be appreciated. The response should be directed
to the attention of Susan Daly in my Washington office.

Thank you for your attention to this matter.

Sincerely,


Alan Cranston

Enclosure

HERBERT H. STICKNEY

173 MORRO HILLS ROAD
FALLBROOK, CALIFORNIA 92028

(619) 728-0385

P.O. Box 397
BONSALL, CA 92003

23 January 1992

The Honorable Alan Cranston
The United States Senate
112 Hart Building
Washington, D.C. 20515

Dear Senator Cranston:

I am distressed by the proposal of the Federal Communications Commission (FCC) to take from the Metropolitan Water District of Southern California (MWD) a key communications microwave frequency used in the operation of the Colorado Aqueduct. Such an action would cost the residents of the six counties served by MWD \$1.5 million to replace that frequency, and yet it would not provide any net improvement in MWD's current communications capabilities.

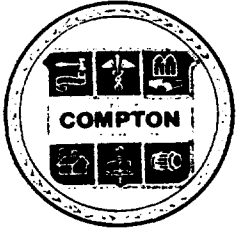
MWD's aqueduct stretches 242 miles across the desert to provide a considerable portion of the Southland's drinking water. To effectively and efficiently control this aqueduct, MWD has invested substantial sums of the public's money in a communications network. Now the FCC proposes to take away a vital microwave link in this system; a proposal which is unfair and unnecessary. In your position as a senior member of the Senate, and with your interest in protection of the desert areas in California, I strongly urge you to petition FCC Chairman Alfred Sikes and other commission members to drop this proposal.

If the FCC is successful in taking away our microwave frequency which we have used since 1987 to communicate with the most remote desert stations, MWD will have to purchase access to another frequency and construct additional transmitters in the desert to accommodate that new frequency which could prove difficult under the Desert Protection Act. Time is of the essence as the FCC is acting quickly to complete this plan. Additional information on this issue is available by contacting James Brainerd, MWD Assistant Director of Information Systems at (213) 250-6881, or Bob Will, MWD's Washington lobbyist at (202) 429-4344.

As a member of the MWD's Board of Directors, I thank you for your continuing interest in MWD's and Southern California's important water issues.

Sincerely,


Herbert H. Stickney



CITY OF COMPTON
MUNICIPAL WATER DEPARTMENT

205 SOUTH WILLOWBROOK AVE
COMPTON, CALIFORNIA 90220
(213) 605-5595

REGINA TURNEY-MURPH
GENERAL MANAGER

January 31, 1992

The Honorable Alan Cranston
112 Hart Bldg.
Washington, D.C. 20515

Dear Senator Cranston:

I am writing to express my deep concern over a proposal by the Federal Communications Commission (FCC) which would strip the Metropolitan Water District of a key communications microwave frequency used in the operation of the Colorado River Aqueduct. This action could cost the residents of your district, and other Southern Californians, \$1.5 million to replace this frequency, but without providing any net improvement to the District's current communications capabilities.

Metropolitan has already spent substantial sums to acquire the communications network necessary to effectively run the aqueduct, which stretches 242 miles across the desert and provides a considerable portion of the Southland's drinking water. The FCC's proposal to take away a vital microwave link in this system is unfair and unnecessary. As a member of the House Energy and Commerce Committee, with its oversight responsibilities for the FCC, I strongly urge you to petition FCC Chairman Alfred C. Sikes and other commission members to drop this proposal.

The FCC's plan would take away the microwave frequency upon which the District has relied since 1987 to communicate with its most remote desert field stations. If this occurs, Metropolitan will have to purchase access to another frequency and construct additional transmitters in the desert to accommodate the new frequency which could prove difficult under the Desert Protection Act.

Time is of the essence, as the FCC is proceeding quickly to finalize this plan. If you would like additional information regarding this issue, please contact James Brainerd, MWD Assistant Director of Information Systems at (213) 250-6881, or Bob Will, Metropolitan's Washington lobbyist at (202) 429-4344.

The Honorable Alan Cranston
Page 2

As a member of Metropolitan's Board of Directors, I thank you for your continuing interest in Metropolitan and Southern California's important water issues.

Sincerely,

Regina Murph ID

Regina Murph
General Manager

LAW OFFICES

GILLIN, SCOTT, ALPERSTEIN, GLANTZ & SIMON

A LAW CORPORATION

NATHAN E. GILLIN
S. DELL SCOTT
GLENN M. ALPERSTEIN
JACK C. GLANTZ
JOEL M. SIMON

January 31, 1992

SUITE 1520
15760 VENTURA BOULEVARD
ENCINO, CALIFORNIA 91436-3095
VALLEY (818) 501-3100
L. A. (213) 872-1166
FAX (818) 377-3600

The Honorable Alan Cranston
United States Senate
112 Hart Bldg.
Washington, DC 20515

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As a member of Metropolitan's Board of Directors, I thank you for your continuing interest in Metropolitan and Southern California's important water issues.

Sincerely,

S. Dell Scott

S. DELL SCOTT

CITY OF



SAN FERNANDO

117 Macneil Street
San Fernando, CA 91340-2993
(818) 898-1200

January 31, 1992

The Honorable Alan Cranston
Congressman
112 Hart Bldg.
Washington, D.C. 20515

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As a member of Metropolitan's Board of Directors, I thank you for your continuing interest in Metropolitan and Southern California's important water issues.

Sincerely,

A handwritten signature in cursive script that reads "Doude Wysbeek".

DOUDE WYSBEEK
Mayor

DW:wm

23036 Benner Court
Torrance, CA 90505
January 30, 1992

The Honorable Alan Cranston
112 Hart Building
Washington, DC 20515

Dear Senator Cranston:

I am writing to express my deep concern over a proposal by the Federal Communications Commission (FCC) which would strip the Metropolitan Water District of a key communications microwave frequency used in the operation of the Colorado River Aqueduct. This action could cost the residents of your district, and other Southern Californians, \$1.5 million to replace this frequency, but without providing any net improvement in the District's current communications capabilities.

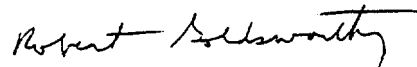
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As a member of Metropolitan's Board of Directors, I thank you for your continuing interest in Metropolitan and Southern California's important water issues.

Sincerely,



cc: Mr. Carl Boronkay, General Manager
Metropolitan Water District of Southern California
PO Box 54153
Los Angeles, CA 90054